

HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 238.16, the Department of Human Services amends Chapter 108, "Licensing and Regulation of Child-Placing Agencies," Iowa Administrative Code.

These amendments strengthen the licensing requirements for child-placing agencies in the area of supervised apartment living placement services. The changes include:

- Requiring a description of education and community activity options available to be included in the agency program statement that is given to all children in supervised apartment placement.
- Requiring the agency to document its findings that the proposed living situation is safe; is accessible to the child's school, work, and activities; and is reasonably priced and that the agency program will meet the child's needs.
- Removing the requirement that the child's combination of school and work must be equivalent to a full-time commitment, given the scarcity of jobs for persons of this age and skill level.
- Requiring the agency to involve the child's family in the development of the child's service plan and specifying the elements that the service plan must include.
- Requiring that agency staff be present in a cluster-site arrangement at any time when a child is in the living unit and be available to the children in placement 24 hours per day, seven days per week.
- Requiring agency staff to document their personal observation that the living situation allows for the child's social and emotional needs to be met, has a telephone and a working smoke detector, and presents no reasonable cause for believing that the child's mode of living presents unacceptable risks to the child's health or safety.

These changes were identified in the program review conducted to prepare the Department's Request for Proposals ACFS-11-115 for purchase of services to children in supervised apartment living foster care. The Department finds that these changes offer basic protections that should be available to all children in a supervised apartment placement operated by a child-placing agency.

Notice of Intended Action on these amendments was published in the Iowa Administrative Bulletin on June 15, 2011, as **ARC 9563B**. The Department received no comments on the Notice of Intended Action. These amendments are identical to those published under Notice of Intended Action.

The Council on Human Services adopted these amendments on August 10, 2011.

These amendments do not provide for waivers in specified situations. Requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code chapter 238.

These amendments shall become effective on November 1, 2011.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [108.10] is being omitted. These amendments are identical to those published under Notice as **ARC 9563B**, IAB 6/15/11.

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[For replacement pages for IAC, see IAC Supplement 9/7/11.]